

It's time to let go of the fantasy that the U.S. government can make money off of its obsolete ships. We should allow MARAD to pay shipyards to do the scrapping in a responsible and safe manner here in the U.S. By allowing MARAD to pay for ship scrapping, MARAD can reduce its inventory of obsolete ships and remove the threat these vessels pose to our waterways. In addition, paying shipyards to do the scrapping work will create secure well paid jobs in a domestic industry in need of new business.

And finally, allowing MARAD to pay for ship scrapping, may save money for the U.S. in the long run. In fiscal year 1999, it cost MARAD \$5.2 million to maintain its fleet of obsolete vessels. This is only the tip of the iceberg. With no solution for disposing of its ships in sight, MARAD's inventory will continue to grow. The inventory of obsolete vessels has almost doubled over the last two years. It now totals 110 vessels, with 88 designated for scrapping. The U.S. Navy expects to transfer 18 additional vessels to MARAD by the end of fiscal year 2001 alone. As these vessels continue to deteriorate the cost to keep them afloat rises. For example, in 1999, MARAD spent \$1 million for an emergency hull repair for one vessel alone.

My bill would establish a pilot program, similar to the one launched by the U.S. Navy, to pay qualified U.S. shipyards to scrap its vessels. The bill authorizes \$40 million over three years for the program.

The government's current options are to send its vessels to overseas shipyards where third world workers toil in unspeakable conditions, or leave them in U.S. harbors where they risk polluting our waters. Unfortunately, without financial incentives like those in my legislation, these ships are not going anywhere.

The federal government needs to take responsibility for the environmental hazards and safety risks posed by these vessels. My legislation is a step towards solving this problem.

#### INTRODUCTION OF THE WORKER ECONOMIC OPPORTUNITY ACT: PROTECTING THE DOT-COM AMERICAN DREAM

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. CUNNINGHAM. Mr. Speaker, today I am honored to introduce the Worker Economic Opportunity Act, the House companion identical to S. 2323 introduced in the other body by Senators MITCH MCCONNELL and CHRISTOPHER DODD.

This legislation, supported in the House and Senate, by Republicans and Democrats, with the involvement of the private sector and the Labor Department is being introduced for one reason: to protect the dot-com American Dream.

It will secure the opportunity for 65 million Americans, union and non-union, who are hourly and non-exempt employees to be awarded stock options and other equity arrangements, without fear that a "piece of the

rock" will hurt their overtime pay or expose employers to bizarre and unintentional liability.

Recently, the Labor Department ruled that one part of one old, very important law—the Fair Labor Standards Act of 1938—effectively and quite unintentionally endangered the New Economy practice of awarding stock options to line employees.

The writers of that law never imagined that anyone but the most senior executives could be awarded stock options. Under the FLSA, profits from stock options would have to be taken into account when computing overtime, an impossible task that endangered both stock options and overtime pay for hourly workers.

But today, workers demand them. And employers are offering them.

The Sunday San Diego Union-Tribune, the Washington Times and Washington Post, the Wall Street Journal, and most every major metropolitan daily newspaper employment section is packed with job after job that offers stock options, stock options, stock options. That's good for workers, and good for America, and part of the dot-com American Dream.

This bill is straightforward. It exempts these stock options and equity-sharing benefits of the New Economy from affecting people's rightful overtime pay yesterday, today and tomorrow.

It's supported by Republicans and Democrats, the House and Senate, and the Administration, and the private-sector Coalition to Promote Employee Stock Ownership representing over 100 associations and employers.

#### PUBLIC RECOGNITION

I want to recognize and thank several Members and other individuals whose work on this has been so important.

On the Republican side, these members include Representatives STEVE KUYKENDALL, TOM DAVIS and DOUG OSE, and Workforce Protections Subcommittee Chairman CASS BALLENGER, the gentleman from North Carolina, whose panel has jurisdiction over this issue.

On the Democratic side, these members include Representatives JIM MORAN, CAL DOOLEY, ANNA ESHOO, TIM ROEMER, and many others.

The Senate has been a strong partner, side by side working together with us in the interests of American workers. I want to commend the Labor Department, including Secretary Alexis Herman, and Mr. Earl Gohl in the office of the Secretary, for their conscientious hard work. Lastly, I want to express my appreciation to the over 100 trade associations and employers who participated in the private-sector Coalition to Promote Employee Stock Ownership, led by the able personnel of the American Electronics Association.

I look forward to my friend Chairman BALLENGER taking up this important legislation in committee. Given that it has strong bipartisan, bicameral, Administration and private sector support, that it will be moved promptly, sent to the President, and signed into law. Together, we will score a win for employees and employers, for high-tech and low-tech, and for the American Dream.

#### ADDITIONAL INFORMATION

Mr. Speaker, a great deal of information about this issue is available on the Internet.

For the benefit of my colleagues, I wish to include in the RECORD several web links that provide helpful background information. These include:

The LPA (formerly Labor Policy Association) has several backgrounder papers, congressional testimony, and news releases available at <http://www.lpa.org>.

The Employment Policy Foundation likewise has a background paper on this issue at <http://www.epf.org>.

The Association of Private Pension and Welfare Plans (APPWP) has background information on stock options at <http://www.appwp.org/stockoptions.html>, and on stock ownership by nonexempt employees at [http://www.appwp.org/stock\\_ownership\\_non-exempt.html](http://www.appwp.org/stock_ownership_non-exempt.html).

The House Education and Workforce Committee, Subcommittee on Workforce Protections has posted the prepared testimony from its public hearing on this issue at [http://www.house.gov/ed\\_workforce/hearings/106th/wp/flsastockop3200/wl322000.htm](http://www.house.gov/ed_workforce/hearings/106th/wp/flsastockop3200/wl322000.htm).

I encourage Members who wish to cosponsor this bill to contact me as soon as possible.

#### "THE KEEP THE COLORADO RIVER CLEAN ACT"

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. GEORGE MILLER of California. Mr. Speaker, ten and a half million tons of toxic mine wastes generated by the now-defunct Atlas Mine are stored in a tailings pond located immediately adjacent to the Colorado River near Moab, Utah. The tailings pond, built in the 1950's is not lined, and as a result, these radioactive and toxic wastes are seeping down through the aquifer into the Colorado River.

Water from the Colorado River makes up a significant part of the drinking water supply for Los Angeles, San Diego, Las Vegas, Phoenix and Tucson, and is used additionally to irrigate hundreds of thousands of acres of agricultural lands. Moreover, the tailings pond, which has been designated as critical habitat for four endangered species, is situated between Canyonlands and Arches National Parks.

Leaving a huge, leaking tailings pile right next to the Colorado River does not make sense. In the event of flood, the river could easily be contaminated. Yet, until recently, the federal government was willing to allow the Atlas Corporation to reclaim the site by simply placing a dirt cap over the top of the pile. This plan will not stop contamination of the Colorado River, which is expected to continue for hundreds of years. To address this problem, on January 19, 1999, Representatives PELOSI, GUTIERREZ, FILNER and I introduced H.R. 393, a bill to require the Department of Energy to move the tailings to a safe location and then direct the Attorney General to ascertain the liability of the Atlas Corporation, and its parent companies, to secure reimbursement as appropriate. This bill was referred to the Commerce Committee where it has languished.

I introduced this bill after years of advocating removal of these toxic wastes from the